II. Remarks

Claims 1-2 and 9-14 are pending in this application. Claims 1-2, 9-10 and 12-14 stand rejected and claim 11 is objected to. The present amendment amends claim 1 to more particularly point out and clarify Applicant's invention. No new matter has been added by the present amendment. Reconsideration of the application in view of the following amendments and remarks is respectfully requested.

Rejections Under 35 U.S.C. §102

Claims 1-2, 9-10 and 13-14 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,736,425 issued to Lemon, et al. ("Lemon"). The rejection of claims 1-2, 9-10, and 13-14 are traversed.

Applicant has amended claim 1 to further recite that the gas generator is initially retained in the closed position by a retainer. The retainer can be actionable in response to a signal to move the gas generator to the open position.

Lemon discloses an occupant restraint system 1 that comprises an air-bag module including an air-bag cushion 20, a retainer ring 10, and an inflator 30. The air-bag cushion retainer ring 10 has an opening 12. The system further includes vent posts 45 which are attached to the air-bag cushion retainer ring 10 and extend forward with post stops 47 placed on top. Springs 40 are placed over the vent posts 45. *Lemon* at col. 2, lines 48-67. The inflator 30 is placed over the vent posts 45 and pressed down on the compressing springs 40 to seal the opening 12 of the retainer ring 10 to prevent gas from escaping. The inflator 30 is retained in this closed position by pyrotechnic rivet fasteners 15. *Id.* at col. 3, lines 6-25. During air-bag deployment, the pyrotechnic fasteners 15 are released which allows the springs 40 to move the inflator 30 forward to the post stops 47 and expose the opening 12 of the air-bag retainer ring 10. Gas in the air-bag cushion 20 is then vented through the opening 12, thereby reducing the pressure of the air-bag cushion. *Id.* at col. 3, lines 44-55.

As is evident from the description of Lemon, the air-bag inflator 30 is retained in a closed position, sealing the opening 12 of the air-bag retainer ring 10, by pyrotechnic fasteners 15. Moreover, the inflator 30 is moved forward to an open position, exposing the opening 12, by compression springs 40. The pyrotechnic fasteners 15 do not move the inflator 30 to the open position, and the compression springs do not retain the inflator 30 in a closed position. Rather, the pyrotechnic fasteners 15 and the compression springs 40 are distinctly separate parts each performing a single function of one of retaining and moving the inflator 30, respectively.

This is unlike Applicant's invention as recited in amended claim 1 where the retainer performs dual functions of retaining the gas generator in a closed position and moving the gas generator to an open position. In that Lemon lacks this noted element of claim 1, Applicant respectfully submits that the rejection based thereon should be withdrawn. Accordingly, Applicant believes claim 1 is in a condition for allowance.

Claims 2, 9-10 and 13-14 depend from claim 1 and are thus distinguishable over Lemon for at least the reasons stated above. Additionally, claims 9 and 10 add further features which render them separately patentable over Lemon. For instance, claim 9 recites that "the retainer comprises an expandable element...that...upon expansion of the expandable element it moves the gas generator to the open position." Claim 10 which depends on claim 9 further recites that "the expandable element is plastically deformable." Lemon, however, does not have an expandable element in the retainer fastener 15 that moves the inflator 30 to the open position. Specifically, the springs 40 are not in the retainer fastener 15. Also, the springs 40 are elastically deformable and not plastically deformable. Specifically, Lemon recites that "the springs 40 are...elastic [and]...return to approximately their original dimension when external force is released." *Lemon* at col. 2, lines 63-67 and col. 3, lines 1-2. A part that is plastically deformed does not return to its original dimension when external force is released. Specifically, Applicant's specification recites that the retainer includes a bladder 61 and that "because the bladder 61 deforms plastically as

it expands it resists any tendency for the gas generator 6 to move back towards its closed position." The original position of the bladder 61 is the closed position. Applicant's Specification at paragraph [0048] and Figure 11. Accordingly, Applicant respectfully request that the rejection of claims 2, 9-10 and 13-14 be withdrawn.

Rejections Under 35 U.S.C. § 103

Claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lemon in view of U.S. Patent No. 6,588,795 issued to Fischer, et al. ("Fischer"). Applicant respectfully traverses this rejection.

Since claim 12 depends on claim 1 and since Fischer fails to disclose the gas generator initially retained in the closed position by a retainer and the retainer being actionable to move the gas generator to the open position, the combination of Lemon and Fischer cannot render the claim of the present invention as obvious. The rejection under § 103(a) is therefore improper and should be withdrawn.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted,

October 25, 2007 /Daniel P. Dailey/

Date Daniel P. Dailey (Reg. No. 54, 054)